

<p>Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address</p> <p>Jeffrey W. Dulberg (State Bar No. 181200) John W. Lucas (State Bar No. 271038) PACHULSKI STANG ZIEHL & JONES LLP 10100 Santa Monica Boulevard, Suite 1300 Los Angeles, CA 90067 Telephone: 310/277-6910 Facsimile: 310/201-0760 Email: jdulberg@pszjlaw.com; jlucas@pszjlaw.com</p> <p><input type="checkbox"/> Individual <i>appearing without an attorney</i> <input checked="" type="checkbox"/> Attorney for: Bradley D. Sharp, Chapter 11 Trustee</p>	<p>FOR COURT USE ONLY</p>
<p style="text-align: center;">UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA – LOS ANGELES DIVISION</p>	
<p>In re:</p> <p style="text-align: center;">LESLIE KLEIN,</p> <p style="text-align: center;">Debtor(s).</p>	<p>CASE NO.: 2:23-bk-10990-SK CHAPTER: 11</p> <p>NOTICE OF LODGMENT OF ORDER IN BANKRUPTCY CASE RE: <i>(title of motion</i>¹): NOTICE OF MOTION AND MOTION FOR ORDER AUTHORIZING (1) SALE OF REAL PROPERTY COMMONLY KNOWN AS 161 NORTH POINSETTIA PLACE, LOS ANGELES, CALIFORNIA 90036, FREE AND CLEAR OF ALL LIENS, CLAIMS AND ENCUMBRANCES PURSUANT TO 11 U.S.C. §§ 363(b) AND (f); AND (2) PAYMENT OF REAL ESTATE BROKERS' COMMISSION AND SALE RELATED EXPENSES</p>

PLEASE TAKE NOTE that the order titled **ORDER AUTHORIZING (1) SALE OF REAL PROPERTY COMMONLY KNOWN AS 161 NORTH POINSETTIA PLACE, LOS ANGELES, CALIFORNIA 90036, FREE AND CLEAR OF ALL LIENS, CLAIMS AND ENCUMBRANCES PURSUANT TO 11 U.S.C. §§ 363(b) AND (f); AND (2) PAYMENT OF REAL ESTATE BROKERS' COMMISSION AND SALE RELATED EXPENSES** was lodged on January 24, 2024, and is attached. This Order relates to the Motion which is Docket No. 537.

¹ Please abbreviate if title cannot fit into text field.

EXHIBIT A

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UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
LOS ANGELES DIVISION

In re

LESLIE KLEIN,

Debtor.

Case No. 2:23-bk-10990-SK

Chapter 11

**ORDER GRANTING MOTION AND
AUTHORIZING (1) SALE OF REAL
PROPERTY COMMONLY KNOWN AS
161 NORTH POINSETTIA PLACE, LOS
ANGELES, CALIFORNIA 90036, FREE
AND CLEAR OF ALL LIENS, CLAIMS
AND ENCUMBRANCES PURSUANT TO
11 U.S.C. §§ 363(b) AND (f); AND (2)
PAYMENT OF REAL ESTATE
BROKERS' COMMISSION AND SALE
RELATED EXPENSES**

[161 North Poinsettia Place, Los Angeles, CA]

Date: January 24, 2024

Time: 9:00 a.m.

Crtrm.: 1575

Judge: Hon. Sandra R. Klein

A hearing was held on January 24, 2024, at 9:00 a.m., before the Honorable Sandra R. Klein, United States Bankruptcy Judge for the Central District of California, in Courtroom 1575 located at 255 East Temple Street, Los Angeles, California, on the *Motion For Order Authorizing (1) Sale of Real Property Commonly Known as 161 North Poinsettia Place, Los Angeles, California,, Free and Clear of All Liens, Claims and Encumbrances Pursuant to 11 U.S.C. §§ 363(b) and (f); And (2) Payment of Real Estate Brokers' Commission and Sale Related Expenses* [Docket No. 537] (the "Motion")¹, filed by Bradley D. Sharp, the duly appointed, authorized and acting chapter 11 trustee (the "Trustee") in the above-captioned bankruptcy case. Appearances were made as noted on the record.

The Court, having read and considered the Motion and all papers filed in support thereof, as well as the conditional opposition filed by Ajax Mortgage Loan Trust 2021-D, Mortgage-Backed Securities, Series 2021-D, by U.S. Bank National Association, as Indenture Trustee, its successors and/or assignees [Docket No. 571] and the Trustee's reply thereto [Docket No. 584], and, having found that the Accepted Counter-Offer of Louis and Barbara Katz (the "Buyer") is the "highest and best" offer received with respect to the proposed sale, and that the Buyer is entitled to "good faith" protection in accordance with 11 U.S.C. §363(m), and having found that the holders of any and all liens, claims and encumbrances to be sold "free and clear" of will be paid in full from the proceeds of the sale or have consented to the proposed sale, and with good cause shown,

IT IS HEREBY ORDERED:

1. The Motion is **GRANTED**.
2. The Trustee is authorized to sell pursuant to 11 U.S.C. §363(b) the real property commonly known as 161 North Poinsettia Place, Los Angeles, California and assigned APN: 5512-017-005, legally described as Lot 52 in Tract No. 7372 in the City of Los Angeles, County of Los Angeles, State of California, as per Map recorded in Book 107, Pages 81 to 83 inclusive of Maps, in the Office of the County Recorder of said County (the "Poinsettia Property"), as further set forth herein.

¹ Capitalized terms not defined herein shall have the same meaning ascribed to them in the Motion.

3. The Accepted Counter Offer from Buyer in the amount of \$1,850,000.00 is approved. The Accepted Counter Offer is the “highest and best” offer the Trustee has received for the Poinsettia Property.

4. The Buyer is deemed a “good faith purchaser” pursuant to 11 U.S.C. § 363(m).

5. The Poinsettia Property shall be sold “as is,” “where is,” “with all faults,” and without warranty or recourse, pursuant to 11 U.S.C. §363(b).

6. The Poinsettia Property shall be sold free and clear of the following liens, claims, encumbrances or other interests, pursuant to 11 U.S.C. §363(f), as the holders of such liens, claims, encumbrances or other interests shall be paid from the proceeds of the sale or have consented to the sale and the recordation of this order with the Los Angeles County Recorder shall constitute a discharge, termination, and cancellation as to the Poinsettia Property of all such liens, claims, encumbrances, or other interests, without the need for their reconveyance or release:

a. A deed of trust, recorded on June 8, 2016, as Instrument No. 20160657370 in the Los Angeles County Recorder’s Office, in favor of Lone Oak Fund, LLC, a California limited liability company (the “First Trust Deed”);

b. A deed of trust, recorded on July 30, 2018, as Instrument No. 20180758110 in the Los Angeles County Recorder’s Office, in favor of Mortgage Electronic Registration Systems, Inc., as nominee for OCMBC, Inc. (the “Second Trust Deed”); and

c. An amended abstract of judgment in favor of Joseph Vago, et al., against the Debtor that was recorded in Los Angeles County on January 12, 2023, as instrument no. 20230026369 (the “Vago Abstract”).²

The Trustee shall pay through escrow: (a) all undisputed amounts owed on the First Trust Deed³ and the Second Trust Deed⁴; (b) all outstanding real property taxes due and owing to

² Upon closing of the sale of the Poinsettia Property, the release of the Vago Abstract shall be recorded by the escrow company with the Los Angeles County Recorder’s Office.

³ The First Trust Deed has submitted a “Paid in Full” letter and has confirmed that there are no amounts owing as it was paid in full as of July 30, 2018.

⁴ The Second Trust Deed is currently held by Ajax Mortgage Loan Trust 2021-D, Mortgage-Backed Securities, Series 2021-D, by U.S. Bank National Association, as Indenture Trustee (“Ajax”). Ajax or its agents shall be allowed to submit a payoff demand to escrow prior to close for the amounts owing on the obligation. The Trustee does not dispute the payoff amount previously provided to the Trustee in the amount of \$1,512,764.42, good through February

1 the Los Angeles County Treasurer - Tax Collector upon closing of the Sale; and (c) broker
2 commissions and expenses (including as specifically described in the Motion), escrow fees, title
3 insurance premiums and other ordinary and typical closing costs and expenses payable by a seller.

4 7. Any liens, claims or encumbrances on the Poinsettia Property not otherwise paid
5 off (e.g. the Vago Abstract) shall have the same validity, priority, and scope with respect to the
6 sale proceeds as such liens, claims or encumbrances had against the Poinsettia Property as of the
7 petition date, subject to any and all of the Trustee's rights to object to, dispute, or subordinate such
8 liens, claims or encumbrances.

9 8. Notwithstanding Bankruptcy Rule 6004(h), this Order shall be effective and
10 enforceable immediately upon entry, its provisions shall be self-executing, and the Trustee is
11 authorized to proceed with the sale. The Motion or notice of Motion shall be deemed to provide
12 sufficient notice of the Trustee's request for waiver of the otherwise applicable stay of the Order.

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28 7, 2024. The Trustee will request an updated payoff demand should the sale close after said good through date and reserves all rights to dispute any amounts above said payoff amount.

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
10100 Santa Monica Boulevard, Suite 1300, Los Angeles, CA 90067

A true and correct copy of the foregoing document entitled: **NOTICE OF LODGMENT OF ORDER IN BANKRUPTCY CASE** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On *(date)* **January 24, 2024**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☐ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL: On *(date)* **January 24, 2024**, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on *(date)* **January 24, 2024**, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Via Federal Express

Honorable Sandra R. Klein
United States Bankruptcy Court/Central District of
California
Edward R. Roybal Federal Building and Courthouse
255 E. Temple Street, Suite 1582 / Courtroom 1575
Los Angeles, CA 90012

Via Email:

Simon Aron on behalf of Kenneth Klein and Shoshana
Shrifa Klein: saron@wrslawyers.com;
moster@wrslawyers.com

Leslie Klein: les.kleinlaw@gmail.com;
leskleinlaw@gmail.com; kleinlaw@earthlink.net

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

January 24, 2024
Date

Nancy H. Brown
Printed Name

/s/ Nancy H. Brown
Signature

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Case 2:23-bk-10990-SK

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2. SERVED BY UNITED STATES MAIL:

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